



LEVENTHAL SENTER & LERMAN PLLC

DOCKET FILE COPY ORIGINAL

February 13, 2003

JOHN W. BAGWELL  
ADMITTED VIRGINIA ONLY  
SUPERVISION BY D.C. BAR MEMBERS

RECEIVED

(202) 416-6751  
JBAGWELL@LSL-LAW.COM

FEB 13 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**VIA COURIER**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Entercom Petition for Rule Making

Dear Ms. Dortch:

On behalf of Entercom Wilkes-Barre Scranton, LLC, licensee of Stations WAMT(FM), Freeland, Pennsylvania, and WKRZ(FM), Wilkes-Barre, Pennsylvania, there is transmitted herewith, an original and four copies of a Petition to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules.

Also enclosed is a return copy of this filing. Please date-stamp the return copy and return it to the courier delivering this package.

If any additional information is desired in connection with this matter, please contact the undersigned counsel.

Very truly yours,

n W. Bagwell  
(Admitted Virginia only)

Enclosures

cc: John Karousos, Esq

No. of Copies rec'd 0 + 4  
List A B C D E  
MB-FM  
03-16

**BEFORE THE  
Federal Communications Commission  
Washington, D.C. 20554**

**ORIGINAL  
RECEIVED**

FEB 13 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b)	)	MM Docket	_____
Table of Allotments,	)		
FM Broadcast Stations	)	RM No.	_____
(Avoca and Freeland, Pennsylvania)	)		

To: Chief, Allocations Branch  
Media Bureau

**PETITION FOR RULE MAKING**

Entercom Wilkes-Barre Scranton, LLC ("*Entercom*"), licensee of Stations WAMT(FM), Channel 276A, Freeland, Pennsylvania, and WKRZ(FM), Channel 253B, Wilkes-Barre, Pennsylvania, by its counsel, hereby requests that the Commission amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, to reallocate Channel 276A from Freeland, Pennsylvania, to the community of Avoca, Pennsylvania, as its first local service, and to reallocate Channel 253B from Wilkes-Barre, Pennsylvania to Freeland, Pennsylvania; and further requests that the Commission modify the licenses of Stations WAMT and WKRZ accordingly. Entercom will promptly file applications to effectuate the modifications proposed upon the approval of these revised allotments

This Petition is being filed pursuant to Section 1.420(i) of the Commission's rules, which allows a station's license to be modified to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest when, as is the case in this instance, the proposed reallocation is mutually exclusive with the station's presently licensed assignment. *See Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870

(1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990). The requested reallocation of Channel 276A to Avoca and Channel 253B to Freeland are mutually exclusive with the current allotments of WAMT and WKRZ, respectively, and the proposed changes may therefore be considered and approved without the affording an opportunity to other parties to file competing expressions of interest.

The Commission's approval of this Petition would both provide first local transmission service to the community of Avoca and bring additional aural service to a total of 311,168 persons. Both of these benefits may be achieved without creating any white, gray or underserved areas.

#### **I. Technical Analysis**

As the attached Technical Exhibit prepared by Hatfield & Dawson demonstrates, the reallocation of Channel 276A from Freeland to Avoca can be accomplished in a manner consistent with all of the Commission's pertinent technical requirements, will provide greater than 70 dBu coverage over all of Avoca, and will provide first local transmission service to Avoca. *See* Exhibit 1.

Further, as the Technical Exhibit shows, Channel 253B can be reallocated to Freeland under Commission precedent allowing community of license changes by grandfathered short-spaced stations where no change in transmitter site is proposed, no new short-spacings would be created, and no existing short-spacing would be exacerbated. *Shelbyville and LaVergne, Tennessee*, Report and Order DA02-2818 (MMB Oct. 25, 2002). *See also, Oceanside and Encinitas, California*, 14 FCC Rcd 15302 (MMB 1999); *Newnan and Peachtree City, Georgia*, 7 FCC Rcd 6307 (MMB 1992).

**11. Entercom's Proposed Changes Promote the FCC's FM Allotment Priorities**

**A. Avoca Is a Community Deserving of an FM Channel Allotment.**

Under Section 307(b) of the Communications Act of 1934, as amended, the FCC may award licenses to applicants who propose to serve a particular community. The Commission has defined a "community" as a "geographically identifiable population grouping." *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 101 (1982). The FCC has explained that "[g]enerally, if a community is incorporated or is listed in the U.S. Census, that is sufficient to demonstrate its [community] status." *Arnoldsburg, West Virginia*, 15 FCC Rcd 9210 (MMB 2000). Avoca meets both of these criteria. The Borough was incorporated in 1889 and is an official Census Designated Place, with a population of 2,851 residents in the 2000 census.

**B. The Proposed Changes Would Result In a Preferential Arrangement of Allotments.**

By providing a community with its first local transmission service and creating additional aural reception service for more than 300,000 persons, the changes proposed in this Petition further the Commission's mandate of making "such distribution of licenses ... among the several States and communities as to provide a fair, efficient and equitable distribution of radio service," 47 U.S.C. § 307(b).

In order to fulfill its mandate, the Commission has established the following FM allotment priorities, in descending order of importance: (1) provision of first full-time aural reception service; (2) provision of second full-time aural reception service; (3) provision of first local transmission service; and (4) provision of additional services; with the second and third priorities having equal weight. *See Faye and Richard Tuck, Inc.*, 3 FCC Rcd 5374, 5376 (1988) (hereinafter "*Tuck*"). The first two of these priorities have

been met, and will continue to be met for the communities affected by this proposal. The allotment of Channel 276A to Avoca, Pennsylvania, will provide first local transmission service to that community, fulfilling the Commission's third allotment goal.

Reallocating WKRZ's community of license from Wilkes-Barre to Freeland will replace the aural reception service that has been provided by WAMT(FM). This proposal is fully consistent with the Commission's recent decision in *Pacific Broadcasting of Missouri LLC*, FCC 03-18, released February 11, 2003, at para. 15. Wilkes-Barre, Pennsylvania, will continue to be the community of license of three commercial radio stations: one Class B FM station, WMGS(FM), and two full-time AM stations, WILK (licensed to Entercom) and WBAX.<sup>1</sup> Thus, this proposal will provide first local transmission service to a new community, Avoca, and maintain first local transmission service at Freeland.

Avoca qualifies as an independent community with a need for its own local transmission service despite the fact that the proposed allotment of Channel 276A at Avoca would provide principal community signal service to 55% of the Scranton Urbanized Area (see Exhibit 1). In making this determination, the Commission will consider (1) the independence of the "community" to the nearby central city of the Urbanized Area, (2) the size and proximity of the "community" to the central city, and (3) the signal population coverage – the extent to which the station could provide service to not just the "community" but to the surrounding metropolitan area. See *Tuck*, 3 FCC Rcd at 5377.

---

<sup>1</sup> Wilkes-Barre is also the community of license of television station WBRE-TV and of two noncommercial FM translator stations.

The Commission has consistently found that the independence of the proposed “community” from the surrounding urbanized area is the most important of the three *Tuck* factors. *Id.* See also, *Detroit Lakes, North Dakota*, 16FCC 22581,22582 (MMB 2001); *Jupiter, Florida*, 12 FCC Rcd 3570,3573 (MMB 1997). The independence of Avoca from Scranton and Wilkes-Barre can be seen in an examination of the eight areas of inquiry enumerated by the Commission. See *Tuck*, 3 FCC Rcd at 5378. The Commission considers a community independent when a majority of these factors support this conclusion. See, e.g., *Jupiter*, 12 FCC Rcd at 3573 (approving change where a majority of *Tuck* factors were satisfied).

The community of Avoca was not established as a result of recent urban sprawl from Scranton or Wilkes-Barre, but has a long history dating back more than a century. Previously known as Pleasant Valley, Pennsylvania, community historians have traced early commercial activity to 1837. The community was designated a Borough in May 1871 and its Borough Council changed the name to Avoca in 1889 when the community was incorporated. By 1893, Avoca had numerous businesses, its own newspaper and three hotels. As the Borough website notes, “Avoca, Pennsylvania is [today] a small, residential community that boasts one of the busier main streets in Luzerne County. ... Residents find many conveniences in our small town [and] can meet most of their needs without ever leaving town.” Avoca, Pennsylvania, at <http://www.avoca-pa.com>.

Avoca is categorized as a Census Designated Place, which the Commission has found to be a factor weighing favorably towards a finding that the local community is independent from the surrounding urbanized area. See *Jupiter, supra*, 12 FCC Rcd at 3572.

Avoca's independently elected government establishes the existence of Avoca as a separate, legally-recognized community. Avoca was incorporated in 1889. The community is currently governed by an elected Mayor and a nine-member Borough Council, with accompanying administrative staff. Avoca has its own Tax Collector, Borough Secretary, and Borough Engineer. Avoca provides many traditional government services to its residents, including garbage collection and civic development and has a Borough Street Department and Municipal Garage, as well as its own independent police department with two full-time and ten part-time officers. Avoca also has its own ambulance association and a fire department with more than 20 members. The fire department also runs a junior firefighter program for youths 14-17 years old. Avoca has its own Borough Community Center.

Avoca is served by two private elementary schools and is part of the Pittston Area public school district. This public school system is separate and distinct from both the Wilkes-Barre Area school district and the Scranton City school district.

Within the Borough are six active churches and numerous social groups, including the Avoca American Legion Post 607; the Avoca Veterans of Foreign Wars Post 8335, and an associated women's Auxiliary; the Avoca Lions Club; Avoca Seniors group; the Ancient Order of Hiberians, Avoca (a Catholic, Irish American fraternal organization); the Avoca-Dupont Little League; and a youth basketball program. Avoca hosts a number of established local community events, including an annual Christmas parade, and 2002 marked the ninth time that the Avoca mayor and Avoca Recreational Committee have sponsored the Mayor's Annual Softball Tournament to raise money for community recreational projects. *See* [http://www.avoca-pa.com/9th\\_annual\\_mayor.htm](http://www.avoca-pa.com/9th_annual_mayor.htm).

Although Avoca no longer has its own local newspaper, “Avoca News” is a regular weekly feature in *The Citizen’s Voice* newspaper, published in Wilkes-Barre. This column provides regular coverage of the Avoca government, Borough budgetary matters, local development issues, and the activities of various Avoca social groups and organizations, in addition to general community news. This local, community-focused newspaper is separate and distinct from both *The Scranton Times*, which bills itself as “the predominant source of news and insight in Scranton,” and the Wilkes-Barre *Times Leader*.

The “Avoca News” column is posted on Avoca’s own website, [www.avoca-pa.com](http://www.avoca-pa.com), which provides information about Avoca, its Borough government and local community happenings. Such a community-focused website has been found to substantiate the conclusion that a community merits allotment of its own media outlet covering the community’s local needs and interests. See *Albemarle, North Carolina*, 16 FCC Rcd 13876,13881 (MMB 2001).

The Borough of Avoca contains a large variety of commercial and health care related establishments. Avoca’s medical community includes five medical doctors, six dentists, a comprehensive medical home, and three pharmacies. The Borough also has numerous restaurants (including a diner, several pizza parlors and a Chinese restaurant), a coffee shop and a bakery, two clothing stores, a funeral home, three florists, two preschool/child development centers, a Holiday Inn motel, and an auto sales lot. The 2000 U.S. Census reports that only 20% of Avoca residents work in the central cities of the Scranton/Wilkes-Barre MSA; this represents an increase in the percentage of Avoca



residents working outside of the core cities of the local MSA from the 1990 U.S. Census figures.

Avoca has its own borough Post Office and both its postal zip code and its telephone exchange are distinct from those of both Scranton and Wilkes-Barre. Further, Avoca's borough government is listed separately in the Wyoming Valley telephone book published by Verizon.

Avoca's physical separation from Scranton and Wilkes-Barre further demonstrates the Borough's independence and economic self-sufficiency. Avoca is located more than eight miles from Wilkes-Barre, separated by five other communities – Hughestown, Laflin, Pittston, Plains and Yatesville – which have a combined population of more than 22,000 residents as measured by the 2000 U.S. Census. Of these communities, Pittston is the community of license for two radio stations, WITK(AM) and WBZJ(FM), and Plains is the community of license for WYCK(AM). Avoca, located in Luzerne County, is more than six miles from Scranton, which is located in adjacent Lackawanna County. Avoca and Scranton are separated by three communities – Moosic, Old Forge and Taylor – which have a combined population of more than 20,000 residents. The Commission considers such separation of the proposed community of license from the core city or an urbanized area to weigh in a favorable of a finding of community independence, even where there is a disparity between the populations of the communities in question. *See Parker, Florida*, 11 FCC Rcd 1095, 1096 (MMB 1996). Under applicable precedent, a difference in the population of Avoca (2,851 as reported in the U.S. Census) compared to Scranton (76,415) and Wilkes-Barre (43,123) does not preclude a finding that Avoca is a separate, distinct community. *See Detroit Lakes, North*

*Dakota*, 16 FCC Rcd 22581 (MMB 2001) (making a finding of an independent community involving two communities with populations of 2,066 and 74,111).

This Petition also protects the sole local aural transmission service at Freeland, Pennsylvania, by the reallocation of licensed Station WKRZ, Channel 253B, from Wilkes-Barre, Pennsylvania, to Freeland. As previously mentioned, following this reallocation, Wilkes-Barre will continue to have significant local transmission service provided by three commercial radio stations, one television station and two noncommercial FM translator stations.

The implementation of the proposal in this Petition will therefore allow the Commission to further fulfill its allotment goals by providing first local transmission service to the community of Avoca, Pennsylvania, creating additional reception service for more than 300,000 persons, maintain Freeland, Pennsylvania's local transmission service while maintaining significant local transmission service in Wilkes-Barre, Pennsylvania.

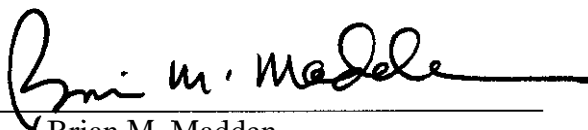
### **III. Conclusion**

For the foregoing reasons, Entercom Wilkes-Barre Scranton, LLC respectfully requests the Commission to promptly initiate the Rule Making requested herein to reallocate Channel 276A from Freeland, Pennsylvania to the community of Avoca, Pennsylvania as its first local service and Channel 253B from Wilkes-Barre,

Pennsylvania to Freeland, Pennsylvania and modifying the respective station's licenses accordingly.

Respectfully submitted,

**ENTERCOM WILKES-BARRE SCRANTON, LLC**

By: 

Brian M. Madden

John W. Bagwell

Leventhal Senter & Lerman PLLC

2000 K Street, NW, Suite 600

Washington, DC 20006-1809

(202) 416-6770

Its Attorneys

February 13, 2003



JAMES B. HATFIELD, PE  
BENJAMIN F. DAWSON III, PE  
THOMAS M. ECKELS, PE  
STEPHEN S. LOCKWOOD, PE  
DAVID J. PINION, PE

PAUL W. LEONARD, PE  
ERIK C. SWANSON, EIT  
THOMAS S. GORTON, PE

**HATFIELD & DAWSON**  
CONSULTING ELECTRICAL ENGINEERS  
9500 GREENWOOD AVE. N.  
SEATTLE, WASHINGTON 98103

TELEPHONE  
(206) 783-9151  
FACSIMILE  
(206) 789-9834  
EMAIL  
hatdaw@hatdaw.com  
MAURY L. HATFIELD, PE  
CONSULTANT  
Box 1326  
ALICE SPRINGS, NT 5950  
AUSTRALIA

## **ENGINEERING STATEMENT**

**PETITION FOR RULEMAKING TO  
AMEND SECTION 73.202 OF THE RULES  
AND REGULATIONS FOR THE FEDERAL  
COMMUNICATIONS COMMISSION**

**TO ASSIGN FM CHANNEL 276A  
FOR USE AT AVOCA, PENNSYLVANIA**

**TO ASSIGN FM CHANNEL 2538  
FOR USE AT FREELAND, PENNSYLVANIA**

**ENTERCOM WILKES-BARRE SCRANTON, LLC**

**212003**

## Engineering Statement

This Engineering Statement has been prepared on behalf of Entercom Wilkes-Barre Scranton, LLC ("Entercom"), licensee of FM stations WAMT Channel 276A Freeland, Pennsylvania, and WKRZ Channel 2538 Wilkes-Barre, Pennsylvania, in support of a Petition for Rulemaking to amend 573.202 of the Commission's Rules to:

- 1) Reallot Channel 276A from Freeland to Avoca, Pennsylvania, and modify the license of station WAMT to specify operation at Avoca.
- 2) Reallot Channel 2538 from Wilkes-Barre to Freeland, Pennsylvania, and modify the license of station WKRZ to specify operation at Freeland.

The proposed reallocation plan will provide several benefits:

- 1) Avoca, an incorporated community with a 2000 Census population of 2,851 persons, will receive its first local service.
- 2) A total of 311,168 persons will receive an additional aural service.
- 3) In accommodating the benefits listed above, no white, gray, or underserved areas will be created.

Hatfield & Dawson *Consulting Engineers*

### **Channel 276A at Avoca**

As outlined in the attached channel study, Channel 276A can be assigned for use at Avoca in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. For this study the coordinates of the petitioner's desired transmitter site, an existing tower site (NL 41° 18' 20" x WL 75345' 38") have been used. This site is 4 kilometers from Avoca, the reference coordinates of which are NL 41° 20' 23" x WL 75344' 12". The nominal distance to the 70 dBu F(50,50) contour for a Class A station is 16.2 kilometers. Therefore, this site will provide greater than 70 dBu coverage for all of Avoca.

The proposed allotment of Channel 276A at Avoca will provide the first local service to that community. Freeland will retain full-time local service from station WKRZ as proposed below.

### **Channel 253B at Freeland**

Entercom proposes to allot Channel 253B to Freeland at the coordinates of the licensed WKRZ facility (NL 41° 11' 56" x WL 75349' 06"). As shown in the attached spacing study, the licensed WKRZ operation is short-spaced to stations WBSX 250B Hazleton, WSUL 252A Monticello, WWBE 252A Mifflinburg, WYCR 253B York-Hanover, and WRKS 254B New York. WKRZ operates as a grandfathered short-spaced station with respect to each of these stations with the exception of WSUL. WKRZ operated as a grandfathered short-spaced station with respect to WSUL up until 1997, when WSUL was granted a construction permit providing protection to WKRZ under § 73.215 of the Commission's Rules.

**WBSX 250B** Hazleton, **WYCR 253B** York-Hanover, and **WRKS 2548** New York: WKRZ operates as a “pre-1964” grandfathered station with respect to WBSX, WYCR, and WRKS under §73.213(a) of the Commission's Rules.

**WSUL 252A Monticello:** WKRZ was fully-spaced to this Class A station before the Class A power limit was increased to 6 kW. In 1997, WSUL was granted a construction permit (FCC File No. BPH-199610021B) to increase to 6 kW equivalent facilities, using a directional antenna to provide contour protection to WKRZ under §73.215 of the Commission's Rules. and that new WSUL facility is now licensed.

**WWBE 252A Mifflinburg:** WKRZ was fully-spaced to this Class A station before the Class A power limit was increased to 6 kW. WWBE continues to operate with 3 kW equivalent facilities.

There is no longer any fully-spaced site for operation of Channel 253B in this area. Despite these short-spacings, Channel 253B can be assigned for use at Freeland in accordance with Commission precedent permitting community of license changes by grandfathered short-spaced stations where no change in transmitter site is proposed, where there is no fully-spaced area available under the current spacing rules, and where no new short-spacings would be created.’ In the instant case, no change in transmitter site for WKRZ is proposed,

---

’See Newnan and Peachtree City, Georgia, 7 FCC Rcd 6307 (1992), Oceanside and Encinitas, California, 14 FCC Rcd 15302 (1999). *Fremont* and Holton, Michigan, 14 FCC Rcd 17108 (Allocations Br. 1999), and Kankakee and Park *Forest*, Illinois, Report and Order in MM Docket No. 99-330 released March 23, 2001.



there is no fully-spaced area available for Channel 2538 in this area under the current spacing rules, and no new short-spacings would be created or existing short-spacings exacerbated.

As is demonstrated in the attached map exhibit, the allotment of Channel 2538 at Freeland at the existing WKRZ transmitter site will provide 70 dBu service to 100% of Freeland.

### **Gain and Loss Area Analysis**

No transmitter site change is proposed for station WKRZ in connection with the proposed community of license change from Wilkes-Barre to Freeland. Therefore, there will be no gain or loss areas directly associated with that modification.

The reallocation of Channel 276A from Freeland to Avoca will involve a transmitter site change. The gain area will encompass 1,813 km<sup>2</sup> and a 2000 Census population of 311,168 persons. The loss area will encompass 1,813 km<sup>2</sup> and a 2000 Census population of 141,398 persons.

**Table of Gain and Loss Areas**

	<b>Area and Population</b>	
Freeland 276A 60 dBu	2,519 km <sup>2</sup>	268,390 persons
Avoca 276A 60 dBu	12,519 km <sup>2</sup>	438,160 persons
Common Area	706 km <sup>2</sup>	126,992 persons
Gain Area	1,813 km <sup>2</sup>	311,168 persons
Loss Area	1,813 km <sup>2</sup>	141,398 persons

## White, Gray, and Underserved Area Analysis

The proposed reallocation plan will not result in the creation of any white, gray, or underserved areas. Each of the following four stations provides 60 dBu service to 100% of the loss area<sup>2</sup>:

WVIA-FM	210B	Scranton
WMGS-FM	225B	Wilkes-Barre
WBSX-FM	250B	Hazleton
WKRZ-FM	253B	Wilkes-Barre / Freeland

In addition, the combined service contours of the following two stations provide service to 100% of the **loss** area, ensuring that all of the loss area will continue to receive at least 5 services:

WAVT-FM	2708	Pottsville
KYW-AM	1060 kHz	Philadelphia (Class A)

Numerous additional AM and FM stations provide service to portions of the loss area. A list of those stations will be provided should the Commission so require

The proposed reallocation plan will not provide new service to any presently white, gray, or underserved areas. Each of the following five stations provides 60 dBu Service to 100% of the gain area:

WVIA-FM	210B	Scranton
WMGS-FM	225B	Wilkes-Barre
WKRZ-FM	253B	Wilkes-Barre / Freeland

---

<sup>2</sup>In determining reception service provided by FM stations, the area of service circumscribed by the station's 1.0mV/m signal contour was considered, assuming 1) actual facilities for non-commercial stations operating on reserved channels, 2) maximum facilities for the class of station for stations (other than Class C stations) operating on non-reserved channels, and 3) minimum or existing Class C facilities, whichever is greater, for Class C stations. For clear channel Class A AM stations, the service area was defined by the station's 0.5 mV/m groundwave contour, based on its licensed facilities. For all other classes of full-time AM stations, reception service was defined as that service received within a station's nighttime interference-free contour. See Meeker and Craig, Colorado, 15 FCC Rcd 23858 (2000), Stamps and Fouke, Arkansas, 14 FCC Rcd 10533 (1999), Silverton and Bayfield, Colorado, 14 FCC Rcd 4071 (1999), Malvern and Bryant, Arkansas, 13 FCC Rcd 8426 (1998), and others.

WGGY-FM	267B	Scranton
WBZJ-FM	272A	Pittston

#### Urbanized Area Analysis

As depicted on the attached map exhibit, the WAMT community of license is proposed to be modified from Freeland, located within the Hazleton Urbanized Area, to Avoca, located within the Scranton Urbanized Area. At Avoca on Channel 276A, WAMT will provide 70 dBu service to 55% of the Scranton Urbanized Area.

In addition, the WKRZ community of license is proposed to be modified from Wilkes-Barre, located within the Scranton Urbanized Area, to Freeland, located within the Hazleton Urbanized Area. At Freeland on Channel 253B, WKRZ will provide 70 dBu service to 94% of the Hazleton Urbanized Area. It should be noted, however, that no transmitter site change is proposed for WKRZ and that the existing WKRZ allotment at Wilkes-Barre already provides 70 dBu service to 94% of the Hazleton Urbanized Area. WKRZ also provides, and will continue to provide 70 dBu service to 79% of the Scranton Urbanized Area.

Hatfield & Dawson Consulting Engineers

Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Avoca, Freeland, and Wilkes-Barre, Pennsylvania, has been prepared by Erik C. Swanson under my direct supervision. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 12<sup>th</sup> day of February, 2003.



Benjamin F. Dawson III, P.E

Hatfield & Dawson Consulting Engineers

=====

SEARCH PARAMETERS

FM Database Date: 030207

Channel: 276A 103.1 MHz  
 Latitude: 41 18 20  
 Longitude: 75 45 38  
 Safety Zone: 50 km  
 Job Title: AVOCA 276A ALLOTMENT SITE

Page 1

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT (m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
=====								
WRFY-FM	READING		273B	10.000	40-19-19	185.9	109.80	69
LIC	PA	BLH-000706ADQ	102.5	246.0	075-53-35		40.80	CLEAR
WKSJ	WILLIAMSPORT		274B	53.000	41-11-21	263.2	103.15	69
LIC	PA	BLH-7491	102.7	387.0	076-58-53		34.15	CLEAR
W275AB	ELMIRA		275D	0.050	42-05-18	315.5	122.81	0
LIC	NY	BLFT-950424TP	102.9	34.0	076-48-09		0.00	TRANS
VAC	NARROWSEURG		275A	0.000	41-38-00	60.0	73.51	72
	NY	RM-9468	102.9	0.0	074-59-46		1.51	CLOSE
WMGKaux	PHILADELPHIA		275B	43.000	40-02-21	162.4	147.43	0
LIC	PA	BMLH-961106KE	102.9	162.0	075-14-13		0.00	AUX
WMGK	PHILADELPHIA		275B	8.900	40-02-21	162.4	147.43	113
LIC	PA	BMLH-001030AAV	102.9	350.0	075-14-13		34.43	CLEAR
W276AQ	FORT LEE		276D	0.040	40-51-15	108.0	157.54	0
LIC	NJ	BLFT-930315TC	103.1	155.0	073-59-00		0.00	TRANS
W276AO	ITHACA		276D	0.010	42-25-47	334.2	139.03	0
LIC	NY	ELFT-000623AGC	103.1	122.0	076-29-49		0.00	TRANS
WGNV-FM	NEWBURGH		276A	6.000	41-28-25	81.6	136.87	115
LIC	NY	BLH-971219KE	103.1	85.0	074-08-22	SS	21.87	CLEAR
WZOZ	ONEONTA		276A	2.000	42-25-28	24.2	136.63	115
LIC	NY	BLH-5655	103.1	110.0	075-04-36		21.63	CLEAR
WAMT	FREELAND		276A	0.730	41-01-06	201.1	34.21	115
LIC	PA	BMLH-020627AAJ	103.1	207.0	075-54-28		-80.79	SHORT
WPRB	PRINCETON		277B	14.000	40-17-00	141.2	145.14	113
LIC	NJ	BLH-911028KB	103.3	223.0	074-41-20		32.14	CLEAR
WMXW	VESTAL		277A	0.590	42-03-22	349.7	84.75	72
LIC	NY	BLH-960501KC	103.3	309.0	075-56-39		12.75	CLEAR
WARM-FM	YORK		277B	6.400	40-01-38	206.8	158.71	113
LIC	PA	BLH-860519KG	103.3	398.0	076-36-00		45.71	CLEAR

=====

SEARCH PARAMETERS

FM Database Date: 030207

Channel: 276A 103.1 MHz Page 2  
 Latitude: 41 18 20  
 Longitude: 75 45 38  
 Safety Zone: 50 km  
 Job Title: AVOCA 276A ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP (kW) HAAT (m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
=====								
WKAB	BERWICK		278A	4.100	41-05-11	240.8	49.77	31
LIC	PA	BLH-970801KG	103.5	118.0	076-16-41		18.77	CLEAR
NEW	LA PLUME		278L1	0.100	41-33-32	357.1	28.17	0
APP	PA	BNPL-010612AAZ	103.5	8.7	075-46-40		0.00	LPFM
WNNJaux	NEWTON		279B1	3.300	41-02-27	108.7	30.66	0
LIC	NJ	BLH-960715KC	103.7	43.0	074-44-19		0.00	AUX
WNNJ-FM	NEWTON		279B1	2.300	41-11-12	98.7	84.26	48
LIC	NJ	BMLH-020611ABA	103.7	272.0	074-46-04		36.26	CLEAR

44444 END OF FM SPACING STUDY FOR CHANNEL 276 44444

SEARCH PARAMETERS

FM Database Date: 030207

Channel: 253B 98.5 MHz  
 Latitude: 41 11 56  
 Longitude: 75 49 6  
 Safety Zone: 50 km  
 Job Title: FREELAND 253B ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
WRSX LIC	HAZLETON PA	BLH-860512KG	250B 97.9	19.500 DA 222.0	41-04-55 075-56-55	220.0	16.98 57.02	74 SHORT
NOTE: SHORT-SPACED UNDER 73.213 (A)								
WHWK CP	BINGHAMTON NY	BPH-000216AAX	251B 98.1	10.000 290.0	42-03-31 075-57-06	353.4	96.13 22.13	74 CLEAR
WHWK LIC	HINGHAMTON NY	BLH-990715KA	251B 98.1	10.000 290.0	42-03-31 075-57-06	353.4	96.13 22.13	74 CLEAR
WMGQ LIC	NEW HRUNSWICK NJ	HMLH-921222KA	252A 98.3	1.200 160.0	40-28-33 074-29-34	125.4	137.65 24.65	113 CLEAR
W252AA LIC	ITHACA NY	BLFT-820429IW	252D 98.3	0.010 DA 151.0	42-25-24 076-30-08	337.6	147.39 0.00	0 TRANS
WSUL LIC	MONTICELLO NY	BLH-000314ABK	252A 98.3	2.200 DA 163.0	41-39-38 074-41-14	61.1	107.56 -5.44	113 SHORT
NOTE: PREVIOUSLY SHORT-SPACED UNDER 73.213 (C), NOW SHORT-SPACED UNDER 73.215								
WWHE LIC	MIFFLINBURG PA	HLH-950915KD	252A 98.3	1.400 147.0	40-53-27 076-59-54	251.3	104.95 -8.05	113 SHORT
NOTE: SHORT-SPACED UNDER 73.213 (A)								
WHBO LIC	OCEAN ACRES NJ	BLH-010720ABR	253A 98.5	2.950 DA 142.0	39-42-56 074-17-32	141.4	209.49 31.49	178 CLEAR
WCTW LIC	CATSKILL NY	BLH-970616KA	253A 98.5	4.700 114.0	42-12-03 073-50-09	55.2	199.04 21.04	178 CLEAR
WCTW CP MOD	CATSKILL NY	HMPH-9808111A	253A 98.5	4.700 114.0	42-12-03 073-50-09	55.2	199.04 21.04	178 CLEAR
WNYR-FM LIC	WATERLOO NY	BLH-000807AFJ	253A 98.5	3.200 136.0	42-48-22 076-50-47	334.9	197.80 19.80	178 CLEAR
W253AC LIC	READING PA	HLFT-950602TJ	253D 98.5	0.230 DA 93.0	40-20-11 075-55-33	185.4	96.21 0.00	0 TRANS
WKRZ LIC	WILKES-HARRE PA	HLH-880128KE	253B 98.5	8.700 357.0	41-11-56 075-49-06	0.0	0.00 -241.00	241 SHORT

=====

SEARCH PARAMETERS	FM Database Date: 030207
Channel: 253B 98.5 MHz	Page 2

Latitude: 41 11 56  
 Longitude: 75 49 6  
 Safety Zone: 50 km  
 Job Title: FREELAND 253B ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
=====	=====	=====	=====	=====	=====	=====	=====	=====
WYCR	YORK-HANOVER		253B	10.500	39-51-30	213.0	176.97	241
LIC	PA BLH-4102		98.5	283.0	076-56-52		-64.03	SHORT
NOTE: SHORT-SPACED UNDER 73.213(A)								
WCBA-FM	CORNING		254A	1.200 DA	42-08-31	315.5	148.23	113
LIC	NY BLH-990422KF		98.7	220.0	077-04-40	SS	35.23	CLEAR
WRKSaux	NEW YORK		254B	4.600	40-44-54	107.4	162.13	0
LIC	NY BMLH-950725KD		98.7	373.0	073-59-10		0.00	AUX
WRKSaux	NEW YORK		254B	29,500 DA	40-47-17	108.7	139.21	0
CP	NY BXPB-001011AAM		98.7	194.0	074-15-19		0.00	AUX
WRKS	NEW YORK		254B	6.000	40-44-54	107.4	162.13	169
LIC	NY BLH-941130KE		98.7	415.0	073-53-10		-6.87	SHORT
NOTE: SHORT-SPACED UNDER 73.213(A)								
WAWZaux	ZARAPHATH		256B	17.800	40-36-41	121.5	123.77	0
CP	NJ BXPB-020613AAM		99.1	182.0	074-34-12		0.00	AUX
WAWZ	ZAREPHATH		256B	28,000 DA	40-36-41	121.5	123.77	74
CP MOD	NJ BMPH-001221ABZ		99.1	200.0	074-34-12		49.77	CLEAR
WAWZ	ZAREPHATH		256B	37.000	40-36-42	121.5	123.12	74
LIC	NJ BMLH-890919KC		99.1	174.0	074-34-14		49.72	CLEAR
WAAL	BINGHAMTON		256B	7.100	42-03-22	353.8	95.78	74
LIC	NY BLH-6186		99.1	332.0	075-56-39		21.78	CLEAR
W256AB	POTTSVILLE		256D	0.100	40-40-36	208.9	66.19	0
LIC	PA BLFT-950823TB		99.1	235.0	076-11-50		0.00	TRANS

44444 END OF FM SPACING STUDY FOR CHANNEL 253 44444



